

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

DANIEL L. SELF, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 4:00CV1903 TIA
)	
EQUILON ENTERPRISES, LLC, et al.,)	
)	
Defendants.)	

ORDER

This matter is before the Court after a discovery hearing on Defendants' Motion for Protective Order (Docket No. 498) and Plaintiffs' Cross-Motion to Compel Discovery (Docket No. 505).

After reviewing the parties' pleadings and considering the arguments presented at the July 19, 2007, hearing, the Court orders as follows:

IT IS HEREBY ORDERED that Defendants' Motion for Protective Order (Docket No. 498) is GRANTED IN PART and DENIED IN PART as follows.

IT IS FURTHER ORDERED that Defendants' Motion for Protective Order is GRANTED with respect to Request No. 16, the OP-ONE document, and Request Nos. 32 and 33.

IT IS FURTHER ORDERED that Defendants' Motion for Protective Order is DENIED with respect to Request No. 20, and Request Nos. 30 and 40.¹

IT IS FURTHER ORDERED that Defendants' Motion for Protective Order is

¹ If the transfer price never was requested, then the Defendants may so state.

DENIED with respect to Request Nos. 31 and 39.

IT IS FURTHER ORDERED that Plaintiffs' Cross-Motion to Compel Discovery (Docket No. 505) is GRANTED IN PART AND DENIED IN PART.

IT IS FURTHER ORDERED that Plaintiffs' Cross-Motion to Compel Discovery is GRANTED to the extent that Plaintiffs seek to redesignate deponents who have previously been deposed. During the Rule 30(b)(6) depositions, Plaintiffs shall be restricted to the topics set forth in the Rule 30(b)(6) Notice and not inquire beyond the scope of the notice.

IT IS FURTHER ORDERED that Defendants are not permitted to retroactively designate prior individual testimony in lieu of producing a corporate deponent for a Rule 30(b)(6) deposition unless Plaintiffs agree to the designation.

IT IS FURTHER ORDERED that Plaintiffs' Cross-Motion to Compel Discovery is DENIED with respect to the Rule 30(b)(5) Document Requests as follows. Defendants are not required to identify by Bates-stamp number and/or range and date of production as to any previously-produced documents or as to any additional documents produced.

IT IS FURTHER ORDERED that the parties shall report to the Court when the production of EIM numbers and SPEARS reports is completed.

IT IS FURTHER ORDERED that the parties shall file a joint statement outlining any remaining disputed topics for Rule 30(b)(6) depositions no later than August 1, 2007.

Dated this 20th day of July, 2007.

/s/ Terry I. Adelman
UNITED STATES MAGISTRATE JUDGE